

TRANSMITTED VIA HAND DELIVERY & REGISTERED MAIL

May 22, 2001

Mr. Maurice D. Smith
Director of Franchising & Regulatory Affairs
Comcast Cablevision of the District, LLC
900 Michigan Ave. NE
Washington, DC 20017

RE: Request for Additional Information

Dear Mr. Smith:

I am writing this letter to request additional information regarding the proposed realignment of Comcast DC's ("Comcast") channel lineup scheduled to take place on or about June 16, 2001. Although the proposed changes were raised during recent franchise renewal negotiation sessions and with the Executive Director of the Public Access Corporation ("PAC"), Nantz Rickard, the Office of Cable Television & Telecommunications ("OCTT") did not receive official notice of the proposed changes until May 16, 2001. OCTT is concerned that Comcast has not provided adequate details to address PAC and consumer concerns that may result from the proposed channel realignment.

Comcast has proposed changing the position of eighteen channels on its cable television network. The proposed changes are significant and will likely result in subscriber confusion. All broadcast channels, the two PAC channels and some of the most popular cable channels will change channel locations. This is one of the largest (if not the largest) channel movements that has occurred in the history of this cable system. As part of the changes, Comcast also plans to delete three networks from the channel lineup; WBAL, Odyssey Channel and MTV2. As a result of the proposed service changes, OCTT anticipates receiving subscriber complaints that OCTT will have to address. The official notice of the service changes provides no explanation of Comcast's reasoning in implementing the channel movements and deletions. In order to respond intelligently to expected consumer concerns, OCTT is requesting, among other things, that Comcast provide a written explanation for the proposed realignment and channel

deletions.

Additionally, Comcast's notice of proposed channel changes did not include any specific plans to assist PAC in transitioning to new channel locations nor did the notice include any provisions for technical assistance to subscribers experiencing ingress and other signal quality and technical problems when viewing channel 5, one of the proposed channels for PAC, and other channels on the cable system. Although a Comcast executive provided a brief presentation regarding these issues, OCTT and PAC do not have a clear understanding of Comcast's plans to address marketing, technical and financial issues. OCTT is requesting that Comcast provide a detailed plan describing how Comcast will address the marketing and technical issues orally described by Comcast. Specifically, the plan should describe or address in reasonable detail:

1. Whether a separate marketing campaign will be supported for PAC's channel changes or will PAC's channel changes be included with all general announcements concerning channel changes.
2. Comcast's plans to include PAC in planning a joint marketing strategy and determining the content of advertisements relating to PAC.
3. The circumstances under which converter boxes will be provided to subscribers free of charge, as stated by Kurt Pendleton, Vice President, Comcast Communications.
4. The notification that Comcast will provide to subscribers that technical assistance is available if they are experiencing reception problems on channel 5 and other channels.
5. Comcast's responsibility for costs incurred by PAC that are associated with the channel moves, including but not limited to stationery, paraphernalia, logos, supplemental marketing activities, etc.
6. Comcast's plans to provide cross channel spot advertisements regarding PAC's channel changes. Indicate the frequency of planned spot ads and the information to be provided in the spot ads.
7. Information regarding how DCTV will be highlighted in any notification letters, electronic crawls, publications, telephone messages and radio ads.
8. The steps that Comcast will take to ensure the picture quality of the PAC channels.
9. The assurances Comcast is willing to make to provide OCTT copies of ads and notices to subscribers regarding the channel realignment.
10. Submission of a revised Form 1240 to reflect the channel changes Comcast has announced.

The relocation of PAC's channels is a monumental change for PAC. The PAC channels have been located at channels 25 and 26 for over ten years. PAC channels provide a source for free and open communication among and between local residents and serve as a forum for political and civic discussion, community and public affairs and the arts, among other things. Many District residents have acquired skills and training in the audio-visual field through PAC's programs. DCTV is considered to be one of the best public access operations in the nation and it is a valuable resource for the District and its residents.

PAC depends primarily on public and cable operator support and has no excess funds for unplanned

costs like those involved in the PAC channel changes. PAC has worked extremely hard to establish an audience for its programming. The proposed channel relocation will force PAC to mount a sustained effort to maintain its audience. Without adequate financial resources or time to absorb the impact of the realignment, the proposed changes could severely damage PAC's audience and reputation in the community.

As noted above, OCTT is also requesting that Comcast submit a revised Form 1240 for basic rates for the 2001-02 period. Under the rate regulation rules, the channel movements/deletions Comcast intends to implement may not be a "wash," because in many cases, channels are added at costs different from the costs associated with deleted channels. The rate form that Comcast submitted to the District in April 2001, is clearly out of date and should be revised to reflect the channel changes due to occur at the same time as any new 2001-02 rates go into effect.

Due to the limited number of days before the realignment of the cable channels is scheduled to occur, OCTT is requesting that Comcast submit all requested information to OCTT in writing within seven (7) calendar days after the date of this letter. If you have any questions regarding this request, please call me at (202) 671-0066. Your immediate attention to this matter is expected and appreciated.

Sincerely,

Darryl D. Anderson
Executive Director

cc: The Honorable Anthony A. Williams
Mayor, District of Columbia

The Honorable Harold Brazil
Chair, Economic Development Committee
Council of the District of Columbia

Nantz Rickard, Executive Director
Public Access Corporation